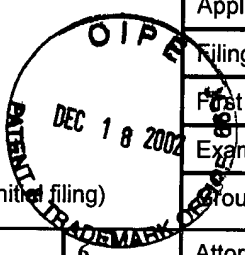
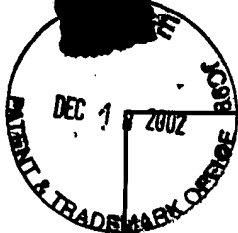


1634\$



RECEIVED  
DEC 20 2002  
TECH CENTER 1600/2900

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	09/904,175
Filing Date	July 11, 2001
First Named Inventor	DUONG, et al.
Examiner Name	Betty J. Forman
Group Art Unit	1634
Attorney Docket No.	A-68718-3
Total Number of Pages in This Submission	6

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Petition under 37 C.F.R. § 1.48(b) Request to Correct Inventorship
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, No. of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remark	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Dorsey & Whitney LLP Renee M. Kosslak, Reg. No. 47,717 for Robin M. Silva, Reg. No. 38,304
Signature	<i>Renee M. Kosslak</i>
Date	12/11/02

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with Sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231 on this date:			12/11/02
Typed or printed name	Mary McFarland		
Signature	<i>Mary McFarland</i>	Date	12/11/02

DEC 18 2002

# APPLICATION FEE TRANSMITTAL SHEET (FOR FY 2002)

complete if Known	
Application No.	09/904,175
Filing Date	July 11, 2001
First Named Inventor	DUONG, et al.
Group Art Unit	1634
Examiner Name	Betty J. Forman
Atty. Docket Number and Title:	A-68718-3 Devices and Methods for Biochip Multiplexing

RECEIVED

DEC 20 2002

TECH CENTER 1600/2900

METHOD OF PAYMENT (Check One)					FEE CALCULATION (Continued)																																																																																																																																																				
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: 50-2319 Deposit Account Name: DORSEY & WHITNEY LLP <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)					3. ADDITIONAL FEES																																																																																																																																																				
2. <input checked="" type="checkbox"/> Check Enclosed					<table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - Late nonprovisional filing fee or oath</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of IDS</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>81</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>280</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Submission After Final 1.129</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>148</td> <td>110</td> <td>248</td> <td>55</td> <td>Terminal Disclaimer Fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td>\$130.</td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility/Reissue Issue Fee (including advance copies)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design Issue Fee (inc. advance copies)</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>195</td> <td>300</td> <td>195</td> <td>300</td> <td>Publication fee for early, voluntary, or normal publication</td> <td></td> </tr> <tr> <td>196</td> <td>300</td> <td>196</td> <td>300</td> <td>Publication fee for re-publication</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to Revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to Revive - unintentional</td> <td></td> </tr> </tbody> </table>					Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee paid	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		105	130	205	65	Surcharge - Late nonprovisional filing fee or oath		126	180	126	180	Submission of IDS		581	40	81	40	Recording each patent assignment per property (times number of properties)		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	280	980	Extension for reply within fifth month		146	740	246	370	Submission After Final 1.129		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		148	110	248	55	Terminal Disclaimer Fee		122	130	122	130	Petitions to the Commissioner	\$130.	123	50	123	50	Petitions related to provisional applications		142	1,280	242	640	Utility/Reissue Issue Fee (including advance copies)		143	460	243	230	Design Issue Fee (inc. advance copies)		179	740	279	370	Request for Continued Examination (RCE)		195	300	195	300	Publication fee for early, voluntary, or normal publication		196	300	196	300	Publication fee for re-publication		140	110	240	55	Petition to Revive - unavoidable		141	1,280	241	640	Petition to Revive - unintentional	
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee paid																																																																																																																																																				
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																					
105	130	205	65	Surcharge - Late nonprovisional filing fee or oath																																																																																																																																																					
126	180	126	180	Submission of IDS																																																																																																																																																					
581	40	81	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																					
115	110	215	55	Extension for reply within first month																																																																																																																																																					
116	400	216	200	Extension for reply within second month																																																																																																																																																					
117	920	217	460	Extension for reply within third month																																																																																																																																																					
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																					
128	1,960	280	980	Extension for reply within fifth month																																																																																																																																																					
146	740	246	370	Submission After Final 1.129																																																																																																																																																					
119	320	219	160	Notice of Appeal																																																																																																																																																					
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																					
121	280	221	140	Request for oral hearing																																																																																																																																																					
148	110	248	55	Terminal Disclaimer Fee																																																																																																																																																					
122	130	122	130	Petitions to the Commissioner	\$130.																																																																																																																																																				
123	50	123	50	Petitions related to provisional applications																																																																																																																																																					
142	1,280	242	640	Utility/Reissue Issue Fee (including advance copies)																																																																																																																																																					
143	460	243	230	Design Issue Fee (inc. advance copies)																																																																																																																																																					
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																					
195	300	195	300	Publication fee for early, voluntary, or normal publication																																																																																																																																																					
196	300	196	300	Publication fee for re-publication																																																																																																																																																					
140	110	240	55	Petition to Revive - unavoidable																																																																																																																																																					
141	1,280	241	640	Petition to Revive - unintentional																																																																																																																																																					
1. BASIC FILING FEE					Subtotal (1)																																																																																																																																																				
<table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>114</td> <td>160</td> <td>214</td> <td>80</td> <td><input type="checkbox"/> Prov. Filing Fee</td> </tr> <tr> <td>101</td> <td>740</td> <td>201</td> <td>370</td> <td><input type="checkbox"/> Utility Filing Fee</td> </tr> <tr> <td>106</td> <td>330</td> <td>206</td> <td>165</td> <td><input type="checkbox"/> Design Filing Fee</td> </tr> <tr> <td>108</td> <td>740</td> <td>208</td> <td>370</td> <td><input type="checkbox"/> Reissue Filing Fee</td> </tr> </tbody> </table>					Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	114	160	214	80	<input type="checkbox"/> Prov. Filing Fee	101	740	201	370	<input type="checkbox"/> Utility Filing Fee	106	330	206	165	<input type="checkbox"/> Design Filing Fee	108	740	208	370	<input type="checkbox"/> Reissue Filing Fee	Subtotal (2)																																																																																																																											
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description																																																																																																																																																					
114	160	214	80	<input type="checkbox"/> Prov. Filing Fee																																																																																																																																																					
101	740	201	370	<input type="checkbox"/> Utility Filing Fee																																																																																																																																																					
106	330	206	165	<input type="checkbox"/> Design Filing Fee																																																																																																																																																					
108	740	208	370	<input type="checkbox"/> Reissue Filing Fee																																																																																																																																																					
2. EXTRA CLAIM FEES					Subtotal (3)																																																																																																																																																				
<table border="1"> <thead> <tr> <th>Total</th> <th>Number Claims</th> <th>Prior</th> <th>Extra</th> <th>Fee from Below*</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>20</td> <td>=</td> <td>x</td> <td>=</td> </tr> <tr> <td></td> <td>Indep.</td> <td>3</td> <td>=</td> <td>x</td> <td>=</td> </tr> <tr> <td></td> <td>Multiple Dependent Claims</td> <td></td> <td>=</td> <td>x</td> <td>=</td> </tr> </tbody> </table>					Total	Number Claims	Prior	Extra	Fee from Below*	Fee Paid			20	=	x	=		Indep.	3	=	x	=		Multiple Dependent Claims		=	x	=	Subtotal (3)																																																																																																																												
Total	Number Claims	Prior	Extra	Fee from Below*	Fee Paid																																																																																																																																																				
		20	=	x	=																																																																																																																																																				
	Indep.	3	=	x	=																																																																																																																																																				
	Multiple Dependent Claims		=	x	=																																																																																																																																																				
<table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>102</td> <td>84</td> <td>202</td> <td>42</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>104</td> <td>280</td> <td>204</td> <td>140</td> <td>Multiple dependent Claim</td> </tr> <tr> <td>109</td> <td>84</td> <td>209</td> <td>42</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>					Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent Claim	109	84	209	42	Reissue independent claims over original patent	110	18	210	9	Reissue claims in excess of 20 and over original patent	Subtotal (3)																																																																																																																						
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description																																																																																																																																																					
103	18	203	9	Claims in excess of 20																																																																																																																																																					
102	84	202	42	Independent claims in excess of 3																																																																																																																																																					
104	280	204	140	Multiple dependent Claim																																																																																																																																																					
109	84	209	42	Reissue independent claims over original patent																																																																																																																																																					
110	18	210	9	Reissue claims in excess of 20 and over original patent																																																																																																																																																					
Submitted by:					Total Amount of Payment: \$130.																																																																																																																																																				

Submitted by: Name: Renee M. Kossak Reg. No.: 47,717 Telephone: (415) 781 1989

Signature: *Renee M. Kossak* Date: 12/11/02



RECEIVED

DEC 20 2002

TECH CENTER 1600/2900

PATENT

Attorney Docket No. A-68718-3 (463037-219)/RFT/RMS/RMK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

12/B  
AD

In re application of

Group No. 1634

DUONG, et al.

Examiner: Betty J. Forman

Serial No.: 09/904,175

CERTIFICATE OF MAILING

I hereby certify that this correspondence and its listed enclosures are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX NON-FEE AMENDMENT, Commissioner for Patents, Washington, DC 20231 on:

Filed: July 11, 2001

Date:

For: *Devices and Methods for  
Biochip Multiplexing*

Signature

*December 18, 2002*  
*Mary McFarland*  
Mary McFarland

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

BOX NON-FEE AMENDMENT  
Commissioner for Patents  
Washington, DC 20231

Sir:

This paper is submitted as a supplemental response to the Restriction Requirement mailed September 17, 2002. Although no fees are believed necessary at this time, the Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Order No. A-68718-3 (463037-219)/RFT/RMS/RMK).

Please amend the above identified application as follows:

**In the Specification:**

1099169\_1.DOC

Please replace the paragraph beginning on page 1 line 2 with the following rewritten paragraph:

B/ --This application claims the benefit of the priority date of U.S.S.N. 60/175,539, filed January 11, 2000 and U.S.S.N. 60/245,840, filed November 3, 2000. This application is a continuation of U.S.S.N. 09/760,384, filed January 11, 2001 and PCT application US01/01150, filed January 11, 2001, priority of the listed applications is claimed under 35 U.S.C. § 119(e)/120/121.--

#### REMARKS

Applicants note that election of the claims of Group I in Response to the Restriction Requirement mailed September 17, 2002, changes inventorship of the present invention. Accordingly, inventorship of the present application has been corrected pursuant to C.F.R. § 1.48(b) (see enclosed Request to Correct Inventorship). As stated in the Request, election of the claims of Group I resulted in a situation where Hau H. Duong, Gary Blackburn, Gary T. Olsen, Robert Pietri, Nathan Swami and Robert H. Terbrueggen are no longer inventors of the claimed subject matter. Therefore, the inventors of the presently claimed subject matter are Jon F. Kayyem and Stephen D. O'Connor.

In addition, Applicants are amending the specification to correct a typographical error in the serial number for U.S.S.N. 60/245,840, filed November 3, 2000. This correction also appears in the declaration, which has been revised to reflect the change in inventorship.

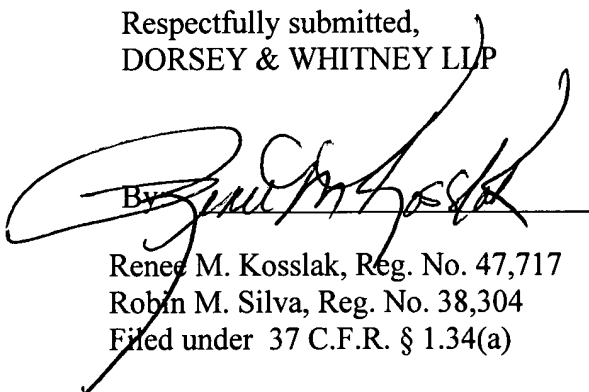
Attached hereto is a marked-up version of the changes made to the claims by the "Amendment". The attached page is captioned "**Version with markings to show changes made.**"

Please direct further questions in connection with this Application to the undersigned at  
(415) 781-1989.

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: 12/11/02

Four Embarcadero Center  
Suite 3400  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989  
Fax No. (415) 398-3249

By   
Renee M. Kossak, Reg. No. 47,717  
Robin M. Silva, Reg. No. 38,304  
Filed under 37 C.F.R. § 1.34(a)